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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,174	03/15/2001	Craig McCoy	10004231-1	7078

7590 05/04/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

KENDALL, CHUCK O

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/810,174

Applicant(s)

MCCOY ET AL.

Examiner

Chuck O Kendall

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

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Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the application filed 03/15/01.
2. Claims 1-29 have been examined.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 8, 10 – 15, 17 – 24 & 26 – 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson USPN 6,427,165 B1 in view of Alexander et al. USPN 6,134,593 (hereinafter "Alexander").

Regarding claim 1, Anderson discloses a method (7: 56 – 9:19), a product (program 9: 19 – 10: 50), readable medium (3: 25 – 30) of installing components of a software product on a first network server device coupled to a network, the components of the software product providing the first network server device the capability to provide a first service to a plurality of server-assisted network devices coupled to the network, the method comprising:

automatically detecting with the first network server device a first set of server-assisted network devices coupled to the network that are eligible to use the first service (6:45 – 50, for eligible see predetermined parameters);

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automatically transmitting device information based on the detected server-assisted network devices to a second network server device (7:4 – 10);

automatically installing components of the software product on the first network server device (7:5 – 8). Anderson doesn't explicitly disclose receiving license information from the second network server device based on the transmitted device information. Although Anderson doesn't disclose licensing information, Anderson does discuss predetermined criterion for accessing nodes and also securing and verifying transactions before access is granted (4: 55 – 65). Alexander shows in an analogous art an installer identifier that identifies licensing information for verification purposes during installing in a distributed environment (8: 17 – 25). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to combine Anderson and Alexander because, providing licensing information during program downloading and installation in a distributed environment makes the system more secure.

Regarding claim 2, the method of claim 1, and further comprising: automatically installing components of the software product on each server-assisted network device in the first set (Anderson, 2: 52 – 60, also see FIG.1)

Regarding claim 3, the method of claim 1, and further comprising: displaying an information screen identifying the number of server-assisted network devices in the first set (Anderson, 6: 55 – 60).

Regarding claim 4, the method of claim 1, and further comprising: displaying cost information based on the number of server-assisted network

Art Unit: 2122

devices in the first set, the cost information representing the cost to install components of the software product and provide the first service to the server-assisted network devices in the first set (Anderson, 4: 53 – 55).

Regarding claim 5, the method of claim 1, and further comprising: receiving payment information identifying a means of payment for use of the software product (Anderson, 4: 55 – 60).

Regarding claim 6, the method of claim 5, and further comprising: automatically transmitting the payment information to the second network server device (Anderson, 4: 60 – 65).

Regarding claim 7, Anderson discloses all the claimed limitations as applied in claim 1, but doesn't explicitly disclose storing the received license information on the first network server device. Anderson also teaches generally that a node may be restricted for access to only qualified users. Alexander shows provision of licensing information in analogous art (8: 17 – 25), as well as storing the information (8: 25 – 30). Therefore it would have been obvious to one of ordinary skills in the art at the time the invention was made to combine Anderson and Alexander because, being able to store the licensing information, would enable the system to keep a list of licensed information as well as would make future access from particular nodes more efficient.

Regarding claim 8, see rationale as previously discussed above in claim 7, which claims similarly to above in reference to storing licensing information.

Regarding claim 10, the method of claim 1, wherein each server-assisted network device in the first set is one of a personal computer, printer, scanner, and a digital sender device (Anderson, FIG.1, see 118,120 & 122, and associated text).

Regarding claim 11, the method of claim 1, and further comprising: receiving device selection information from a user identifying server-assisted network devices in the first set that are to be provided the first service (Anderson, 5:50 – 55).

Regarding claim 12, the method of claim 11, and further comprising: automatically installing components of the software product on each identified server-assisted network device (Anderson, 7: 5 – 11).

Regarding claim 13, the method of claim 11, and further comprising: displaying cost information based on the number of identified server-assisted network devices, the cost information representing the cost to install components of the software product and provide the first service to the identified server-assisted network devices (Anderson, 4: 50 – 56, see fee and access).

Regarding claim 14, which is the product version of claim 1, see rationale as previously discussed above.

Regarding claim 15, which is the product version of claim 2, see rationale as previously discussed above.

Regarding claim 17, which is the computer readable medium version of claim 1, see rationale as previously discussed above.

Regarding claim 18, which is the computer readable medium version of claim 2, see rationale as previously discussed above.

Regarding claim 19, which is the computer readable medium version of claim 3, see rationale as previously discussed above.

Regarding claim 20, which is the computer readable medium version of claim 4, see rationale as previously discussed above.

Regarding claim 21, which is the computer readable medium version of claim 5, see rationale as previously discussed above.

Regarding claim 22, which is the computer readable medium version of claim 6, see rationale as previously discussed above.

Regarding claim 23, which is the computer readable medium version of claim 7, see rationale as previously discussed above.

Regarding claim 24, which is the computer readable medium version of claim 8, see rationale as previously discussed above.

Regarding claim 26, which is the computer readable medium version of claim 10, see rationale as previously discussed above.

Regarding claim 27, which is the computer readable medium version of claim 11, see rationale as previously discussed above.

Regarding claim 28, which is the computer readable medium version of claim 12, see rationale as previously discussed above.

Regarding claim 29, which is the computer readable medium version of claim 13, see rationale as previously discussed above.

5. Claims 9, 16 & 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson USPN 6,427,165 B1 in view of Alexander et al. USPN 6,134,593 (hereinafter "Alexander") as applied in claim 1, 14, and 17 and further in view of Barrett et al. USPN 5,647,056.

Regarding claims 9 & 16, Anderson and Alexandria disclose all the claimed limitations as applied in claims 1 & 14. The combination of Anderson and Alexander does not explicitly disclose automatically installing firmware on each server-assisted network device in the first set to support the first service. However, Barrett does disclose loading firmware in a similar configuration (FIG.24, S2403), for multiple terminals. Therefore it would have been obvious to one of ordinary skill in the art at the time then invention was made to combine Anderson and Alexander with Barrett because, installing or loading firmware in a network from a remote location makes installing needed files more efficient.

Regarding claim 25, which is the computer readable medium version of claim 9, see rationale as previously discussed above.

Correspondence Information

6. Any inquires concerning this communication or earlier communications from the examiner should be directed to Chuck O. Kendall who may be reached via telephone at (703) 308-6608. The examiner can normally be reached Monday through Friday between 8:00 A.M. and 5:00 P.M. est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam *can be* reached at (703) 305-4552.

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Art Unit: 2122

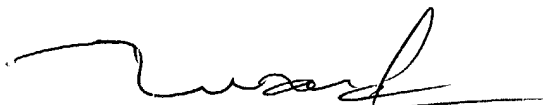
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

For facsimile (fax) send to 703-7467239 official and 703-7467240 draft

Chuck O. Kendall

Software Engineer Patent Examiner

United States Department of Commerce

A handwritten signature in black ink, appearing to read 'Tuan Dam', with a long horizontal stroke extending to the right.

TUAN DAM
SUPERVISORY PATENT EXAMINER

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